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Attorneys for Defendant

7-ELEVEN, INC.

UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

KIMBERLY ALEKSICK,
individually and on behalf of other
members of the general public
similarly situated,

Plaintiffs,

v.

7-ELEVEN, INC., a Texas
Corporation, MICHAEL TUCKER;
an individual; and DOES 1-50,
Inclusive,

Defendants.

CASE NO. 08 CV 0059 J (WMc)
The Hon. William Q. Hayes

**DECLARATION OF ERIC A.
WELTER**

Hearing Date: March 3, 2008

Time: 8:30 a.m.

Courtroom: 4

Judge: Hon. William Q. Hayes

**NO ORAL ARGUMENT UNLESS
REQUESTED BY THE COURT**

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1 I, Eric A. Welter, declare:

2 1. I am a shareholder with Welter Law Firm, P.C. I was counsel for
3 Defendant 7-Eleven, Inc. in this matter in state court prior to removal *pro hac vice*.
4 I am licensed to practice law in the Commonwealth of Virginia and have applied
5 for admission to practice in this case *pro hac vice*. I have personal knowledge of
6 the facts set forth in this Declaration.

7 2. Attached as Exhibit A is a true and correct copy of a letter dated
8 June 1, 2007, from Eric C. Sohlgren, local counsel for Defendant 7-Eleven, to
9 William B. Sullivan, counsel for Plaintiff, in which 7-Eleven provided
10 Mr. Sullivan with a copy of its franchise agreement with Defendant Tucker.

11 3. Attached as Exhibit B are true and correct copies of documents
12 produced by 7-Eleven in discovery to counsel for Plaintiff in connection with
13 Defendant 7-Eleven, Inc.'s Responses and Objections to Plaintiff's Request for
14 Production of Documents, Set Two (Bates Nos. 7-ELEVEN-00241 to
15 7-ELEVEN-00420), in which 7-Eleven produced to Plaintiff a complete copy of its
16 franchise agreement with Defendant Tucker.

17 4. Attached as Exhibit C are true and correct copies of documents
18 produced by 7-Eleven in discovery to counsel for Plaintiff in connection with
19 Defendant 7-Eleven, Inc.'s Responses and Objections to Plaintiff's Request for
20 Production of Documents, Set Two (Bates Nos. 7-ELEVEN-00421,
21 7-ELEVEN-00529 to 7-ELEVEN-00571), which include a copy of 7-Eleven's
22 franchise agreement from the 2007 California Uniform Franchise Offering
23 Circular.

24 5. Attached as Exhibit D are true and correct copies of documents
25 produced by 7-Eleven in discovery to counsel for Plaintiff in connection with
26 Defendant 7-Eleven, Inc.'s Responses and Objections to Plaintiff's Request for
27 Production of Documents, Set Two (Bates Nos. 7-ELEVEN-00851,
28 7-ELEVEN-00959 7-ELEVEN-00974) which include a copy of 7-Eleven's

1 franchise agreement from the 2003 California Uniform Franchise Offering
2 Circular.

3 6. Attached as Exhibit E are true and correct copies of documents
4 produced by 7-Eleven in discovery to counsel for Plaintiff in connection with
5 Defendant 7-Eleven, Inc.'s Responses and Objections to Plaintiff's Request for
6 Production of Documents, Set Two (Bates Nos. 7-ELEVEN-01250,
7 7-ELEVEN-01354 to 7-ELEVEN-01391), which include a copy of 7-Eleven's
8 franchise agreement from the 2006 California Uniform Franchise Offering
9 Circular.

10 7. Attached as Exhibit F is a true and correct copy of Defendant
11 7-Eleven, Inc.'s Responses and Objections to Plaintiff's Request for Production of
12 Documents, Set Two, which according to the proof of service were sent to William
13 B. Sullilvan, counsel for Plaintiff on August 16, 2007.

14 I declare under penalty of perjury under the laws of the United States and
15 California that the foregoing is true and correct.

16 Executed this 25th day of February, 2008, at Herndon, Virginia.

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18 /s/ Eric A. Welter

19 Eric A. Welter
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